

REMARKS/ARGUMENTS

Pursuant to the requirement of 37 CFR 1.121(b), and as stated above, please substitute and replace all the claim sheets, as amended and as originally filed, with the above amended set of claims. The following claim rejections and objections were noted from the Office Action dated October 31, 2008, and pursuant to each paragraph, presented in the same order, arguments follow.

Claim Rejections – 35 USC § 103

3. *Claims 13-20 were rejected under 35 USC 103(a) as being unpatentable over Fried et al (6,589,470) in view of Goossens (5,056,998)*

In response to that rejection, Applicants have amended the claims to more clearly delineate the structural requirement of having at least two complementary open surface molds to be used with at least two different particulate plastic materials. This means that there will be a first surface mold and then a second complementary mold. The molds are to receive a first particulate plastic material, and then a second particulate material is to be introduced inside the skin formed by the first particulate plastic material. Thus, a filled plastic part will be produced, with a “beauty” molded surface on both sides of the mold, not a hollow molded piece like the Fried invention. The resulting product of the Fried disclosure may yield a similar part to a vacuum formed or gravity formed part, while the instant invention will yield a two sided beauty molded product with a filling of a second material. This is significantly different.

In direct contradistinction, the Fried patent discloses a hollow mold for receiving a single particulate material, which would yield only half of the resulting product of the present invention. Moving the mold from a first station to a second station as in Fried is not novel.

Applicants respectfully submit that the limitation of the claims to a first and second set of complementary molds to produce a product with two molded surfaces with at least two materials therein is patentably distinct over the hollow Fried invention.

Goossens does not add the necessary beauty finish on both surfaces of the finished part. The filling material of the present invention is not a structural component, but rather a pattern layering system for cosmetics.

Therefore, Applicants respectfully submit that the combination of Fried with Goossens does not teach, suggest nor disclose the present invention, and as such, feels that it is appropriate to solicit an early allowance for the present claims 13-20.

4. *Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fried ('470) and Goossens ('998) as applied to claims 13-16 above, and further in view of Lankheet (4,267,142).*

In response to that rejection, Applicants submit that now that claims 13-20 are deemed to be allowable, claims 17-19 are also allowable for the same reasons.

5. *(Claim 20) is rejected under 35 U.S.C. 103(a) as being unpatentable Fried ('470) and Goossens ('998) as applied to claims 13-16 above, and further in view of Nohara et al (6,558,592).*

In response to that rejection, Applicants submit that now that claims 13-20 are deemed to be allowable, claim 20 is also allowable for the same reasons.

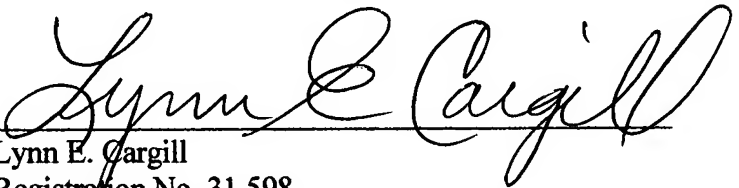
Applicant wishes to thank the Examiner for her thorough examination, and hopes, that by these Amendments, the subject matter of the present invention is now more clearly stated, such that a closer review of the present invention, in light of the amendments and arguments made here, will give solid support for an allowance. Consequently, Applicant requests reconsideration in

the instant Application and withdrawal of all grounds of rejection and objection in view of the amendments and the following discussion.

If the Examiner feels that the prosecution of this Application can be expedited by conversation, he is courteously requested to place a telephone call to Applicant's attorney at the number listed below. In view of the foregoing, it is believed that the remaining claims now distinguish over the prior art and are allowable. For the reasons discussed above, it is believed that this Application is now in an allowable condition such that it is appropriate to hereby respectfully solicit its allowance.

Respectfully submitted,

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CARGILL & ASSOCIATES, P.L.L.C.

A handwritten signature in cursive script, reading "Lynn E. Cargill", written over a horizontal line.

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